



## U.S. FISH AND WILDLIFE SERVICE TRANSMITTAL SHEET

<b>PART</b>  522 FW 2, 11, 12, and 14	<b>SUBJECT</b>  State Grant Programs Grantee Administration Research Surveys and Inventories Technical Guidance	<b>RELEASE NUMBER</b>  374
<b>FOR FURTHER INFORMATION CONTACT</b>  Division of Federal Aid		<b>DATE</b>  August 31, 2001

### EXPLANATION OF MATERIAL TRANSMITTED:

These chapters include minor revisions and incorporate plain language requirements.

**Acting**   
**DIRECTOR**

### FILING INSTRUCTIONS:

#### Remove:

522 FW 2, 12/17/92, FWM 060 (1 sheet)  
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**FISH AND WILDLIFE SERVICE  
STATE GRANT PROGRAMS**

**State Grant Programs**

**Part 522 Federal Aid Program Guidance**

**Chapter 2 Grantee Administration**

**522 FW 2**

**2.1 What is the purpose of this chapter?** This chapter provides general requirements for participation in Federal Aid programs that we administer. As used in this chapter, the term “we” or “us” refers to the Fish and Wildlife Service and the term “State(s)” refers to State fish and wildlife agencies and other grantees.

**2.2 Do States have to comply with any laws or regulations?** We require that States carry out their Federal Aid programs according to the applicable Federal laws and regulations [50 CFR 80; 43 CFR 12]. Part 523 of the Fish and Wildlife Service Manual provides a summary of selected, generally applicable, laws and regulations. Standard Forms 424B, 424D, and DI 2010 list the current assurances and certifications required of a State that receives a Federal Aid in Wildlife or Sport Fish Restoration program grant.

**2.3 What are the responsibilities of the grant recipient?** States must establish and maintain management controls to ensure that they meet the requirements for participation and administration of their Federal Aid programs [43 CFR 12.60, 50 CFR 80.18]. Failure to meet requirements may result in suspension or termination of grants, or in loss of eligibility to participate in Federal Aid programs.

**2.4 How does a State maintain eligibility?** To participate in Federal Aid programs, States must:

**A.** Ensure that the State assent legislation (specified in Section 1 of the Federal Aid in Wildlife and Federal Aid in Sport Fish Restoration Acts) including the prohibition against the diversion of license fees, remains in effect [50 CFR 80.3]. This includes monitoring State legislation that may modify the basic assent legislation or that may divert license fees [50 CFR 80.3].

**B.** Ensure that no administrative action taken would create a diversion of license fees, and promptly seek advice from the Regional Director on any question of a diversion [50 CFR 80.4].

**C.** Annually certify the number of paid hunting and fishing license holders [50 CFR 80.10] on FWS Forms 154a and 154b. (See paragraph 2.7.)

**D.** For coastal States, equitably allocate funds, to the extent practical, between marine and freshwater projects based on the number of resident marine and freshwater anglers [50 CFR 80.23]. This allocation allows flexibility so that States may over or under use funds annually if the States make a good faith effort to allocate the funds equitably over a reasonable multi-year period (normally 3 years). In meeting the equitable allocation requirements, most States use statistics from the National Survey of Fishing, Hunting and Wildlife Associated Recreation. States also may conduct their own surveys and use other pertinent data if they are statistically valid [50 CFR 80.23].

**E.** If they want to participate in the Endangered Species Act grant program (Section 6), annually reconfirm the terms of the cooperative agreement between the Service and the State [50 CFR 81.3].

**F.** Furnish, upon the Regional Director’s request, information regarding State laws and the authority of the State to participate in grant programs that we administer.

**2.5 Do projects have to meet any standards?** States must ensure that projects within a proposal, Grant Proposals (GP), and Grant Agreements (GA) are complete and meet applicable program standards [50 CFR 80.11, 50 CFR 80.13]. Each project within a proposal must:

**A.** Be for an eligible purpose under the applicable Federal Aid program [50 CFR 80.5, 521 FW 1, and 521 FW 2].

**B.** Each project within a proposal must be substantial according to the following standards [CFR 80.13]:

(1) Be adequately planned to accomplish the stated objective.

(2) Utilize sound design and appropriate procedures. If the project is for management of fish and wildlife resources, State must use accepted fish and wildlife conservation and management principles.

(3) Yield benefits pertinent to the identified need at a level commensurate with project costs.

(4) Provide for the tracking of related costs and accomplishments.

(5) Provide for monitoring, evaluating, and reporting accomplishments of the project objective.

**2.6 What responsibilities do States have for completing projects?** States must:

**A.** Accomplish planned work within the Grant Agreement period [50 CFR 80.18].

**B.** Account for all allocated funds and use them only for the accomplishment of the planned work [50 CFR 80.18].

**C.** Maintain accurate and complete grant records and submit performance and financial reports as required [50 CFR 80.18, 50 CFR 80.19].

**D.** Protect equipment and supplies acquired with Federal Aid funds against loss, theft, or misuse [50 CFR 80.18].

**2.7 How do States certify hunting and fishing license holders?** Each year, we will request that States certify the number of paid hunting and sport fishing licenses holders in

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the State during the previous year [50 CFR 80.10]. States will use FWS Forms 154a and 154b to provide this information.

(1) States may use a statistical survey to eliminate duplicate counting of licenses that they may issue to a person. They should conduct a new survey at least every 5 years, or sooner if there has been a change in the license structure.

(2) States must notify the appropriate Regional Director as soon as possible if they cannot provide the required license holder certification by the date requested. This notification can be by telephone, but must include the reason for the delay and the date by which they will submit the certification.

**2.8 Should States appoint a Federal Aid Coordinator?**

Each State should designate one or more persons to serve as a contact person for the Regional Director on matters related to administration of Federal Aid programs. As used in this part, we refer to the designee(s) as the Federal Aid Coordinator(s). Coordinators should be knowledgeable about Federal Aid program administrative requirements and of the State's Federal Aid programs. They should have sufficient authority to represent the State effectively in day-to-day liaison with us on Federal Aid matters.